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DEPARTMENT FOR NEA; NSC FOR ABRAMS/SINGH/YERGER

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SUBJECT: LEBANON: INCREASING THE HEAT ON THE PRESIDENTIAL ISSUE

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Classified By: Jeffrey Feltman, Ambassador, per 1.4 (b) and (d).

SUMMARY AND COMMENT

¶1. (S) The pro-Syrian March 8-Aoun forces have much to gain, and March 14 forces much to lose, from the ongoing delay in filling Lebanon's presidential vacuum. Tactically, March 14 has more bargaining power on selecting the prime minister and cabinet if the normal constitutional processes are followed. As long as March 14 remains committed to the core principles we are supporting in Lebanon, it is in our interest to see March 14 succeed and thus the constitutional processes used to the extent possible. Therefore, in our view, the international community should work collectively and forcefully to defeat the insistent March 8-Aoun attempts to link presidential elections to a whole package of issues.

¶2. (S) By agreeing to endorse LAF Commander Michel Sleiman as president via a constitutional amendment, March 14 has already made significant concessions. Rather than asking March 14 to give more, the international community should, in our view, give the same message, loudly and in unison: presidential elections now, and without linkage to other issues. Having watched the French badly fumble (or intentionally foul) the presidential elections so far, we assume we will need to take on the leadership role in building an international consensus for presidential elections now, without complicating linkages. While sharing a few specific ideas in this cable, we recommend starting to point fingers at who is to blame for Lebanon's presidential vacuum. End summary and comment.

UNHAPPY WITH KOUCHNER'S SURPRISE RETURN

¶3. (S) March 14 leaders view with trepidation the unexpected return to Beirut today (12/4) of French Foreign Minister Bernard Kouchner. They believe that, in lifting their objections to a constitutional amendment and endorsing LAF Commander Michel Sleiman as president, they have gone quite far enough in concessions. They fear that Kouchner will be seduced by the March 8-Aoun call for a package deal -- presidential elections only once agreement is reached on a prime minister, cabinet, cabinet program, new LAF commander, etc. -- and that he will be drawn into negotiations by which

March 14 is pressured into further capitulation. In the March 14 view, the Sleiman presidency is a generous (some would say overly generous) take-it-or-leave-it offer that should not be linked to the other difficult issues that will follow.

MARCH 8 USES DELAY TO WEAKEN MARCH 14

¶4. (S) Kouchner's visit aside, the evidence supports March 14's view that the March 8-Aoun forces are trying to use what March 14 saw as a necessary concession and turn it into a full-scale surrender. Michel Aoun's public histrionics yesterday linked his lukewarm support for Sleiman to March 14 acceptance of a whole range of Aoun-centric demands, including agreement that Fouad Siniora's replacement as prime minister would not come from March 14. Nabih Berri and Hizballah continue to hide behind Aoun, asking everyone to come up with a deal that satisfies Aoun that they can then endorse. But Berri has told people that the idea of deciding on a cabinet and new army commander in advance of presidential elections is sensible. Such a position, if accepted, virtually ensures weeks of delay before Lebanon sees a new president.

DELAY CONVEYS TACTICAL ADVANTAGE TO MARCH 8

¶5. (S) With a half-plus-one absolute majority election of Nassib Lahoud as improbable today as it was a month ago (alas!), we see nothing constructive and much risk in delaying the presidential vote. An intriguing question is why Lebanon's pro-Syrian political figures, who technically and constitutionally concede nothing on the cabinet even were Sleiman elected today, are so insistent on a delay: do they not trust Michel Sleiman, as president, to protect their interests? We conclude that the pro-Syrians, with their eye

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on weakening and splintering March 14 into irrelevance, are thinking of the tactical benefits to a delay: The longer the vacuum persists, the more Michel Aoun will whip up populist, Christian sentiment against March 14. With each day Baabda Palace is empty, the pressure will increase on March 14 to make concessions on the other issues that March 8-Aoun forces are linking to the presidential elections.

MARCH 8 GETS MORE SAY IN PM, CABINET
IF LINKED TO PRESIDENTIAL ELECTIONS

¶6. (S) Moreover, in terms of selecting a prime minister and a cabinet, March 8-Aoun forces are in a stronger position now than they will be in the normal constitutional process, that favors March 14's majority. For picking a prime minister, MPs individually tell the president who is their choice for leading the next cabinet. These consultations are binding on the president's choice, meaning that, if March 14 stays together, the March 14 parliamentary majority can select the next PM. By insisting on knowing in advance who will be PM before agreeing to vote for the president, March 8 has eliminated March 14's constitutional advantage.

¶7. (S) Regarding the full cabinet, the situation is more complicated. The PM and the president together sign the decree of the cabinet ministers -- this is one of the strongest discretionary powers left to the president after Taif. So, while the PM can work to assemble the cabinet, he must satisfy the president sufficiently to win his signature on the decree. Usually, this means that the president will demand his share of the cabinet. (For the Siniora cabinet, Emile Lahoud insisted on three ministers, two of whom -- Elias Murr and Charles Rizk -- subsequently switched sides.) In practice, the PM and president alone can negotiate on the cabinet, which then goes to parliament for a vote of confidence. With the PM and the parliamentary majority in

March 14 hands, only Sleiman needs to be brought on board. But by linking the cabinet to the presidential elections, the March 8-Aoun forces are trying to make March 14 negotiate with Aoun, Berri, and Hizballah all at once, and in ways ultimately acceptable to Sleiman, who must co-sign the decree.

MARCH 14 MAJORITY STILL COUNTS --
IN CONSTITUTIONAL PROCESSES

¶8. (S) None of the other big issues -- selection of a PM, formation of a cabinet, writing of a cabinet decree, appointment of a new army commander -- will be particularly easy even once a president (particularly a president of questionable allegiances) is in place. But we conclude that, despite the constitutional transformation of the Siniora cabinet to a caretaker cabinet upon Sleiman taking office, it is better for March 14 to negotiate via the constitutional processes, where the razor-thin majority still counts for something, rather than be forced to made decisions now. With March 14 leaders more committed to the principles of Lebanon's sovereignty and independence we are trying to support, we hope that we can begin to tip the balance of power back in their direction.

A SIMPLE INTERNATIONAL AND REGIONAL MESSAGE:
ELECTIONS NOW (AND WITHOUT LINKAGES)

¶9. (S) We have often wondered how to replicate the success of spring 2005, when the message "Syria out!" was so effective in persuading the Syrians that they had no choice but to withdraw their military and intelligence forces. The current presidential vacuum may provide the same opportunity for a simple, coherent message that has domestic, regional, and international support: "Elections now!" By emphasizing the urgency, we also underscore that there should be no linkages with other issues -- by definition, such linkages delay elections. Part of this message should also be directed to MPs, since it is their responsibility to vote. Given the failure of the French initiative, we wonder if we should be exercising leadership in seeing that the Europeans, Egyptians, Saudis, GCC, Arab League, Vatican, and others all echo this message, loudly and clearly and repeatedly, in ways that make the March 8-Aoun forces recognize that they have no escape from going for Sleiman now.

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SPECIFIC IDEAS FOR PUBLIC, PRIVATE MESSAGES

¶10. (S) Nabih Berri has called for a parliament session on Friday, and (we understand) March 14 MPs are to present a petition today for the constitutional amendment needed to elect Sleiman. Theoretically, then, the presidential election could move ahead rapidly, if the proposed March 8-Aoun linkages are dropped and March 8-Aoun MPs feel the heat. We suggest giving a push, via the following means:

-- High-level engagement with the French: while it is too late to turn off the Kouchner visit that so unnerves our March 14 contacts, we recommend talking with the French about the fact that March 14, even after conceding the presidency, is being blackmailed. This is not the constructive role that France thought Syria's Lebanese allies would play after French re-engagement with Damascus. We hope that the French, who here told us that they would be "more Chirac than Chirac" in terms of holding Damascus responsible for problems here, will start pressuring those Lebanese parties who are delaying the elections rather than continuing to push March 14 into "consensus" positions.

-- Engagement with EU countries, Vatican, Saudi Arabia, Egypt, other Arabs: We could, via phone calls or quick demarche, give a similar message about March 14 being

blackmailed. The purpose would be to urge that the others join us in conveying by all means possible the unified message noted in para 8 above.

-- UNSC Presidential Statement: While we would find it unlikely to get consensus for a clearly March 14 presidential statement, perhaps we could get one that notes the problem of the presidential vacancy and that urges elections now. This will contribute to the pressure to get the elections done now, without linkages.

-- High-level phone call to Speaker Berri: Perhaps the Secretary could urge Berri to move now, noting that the U.S.

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expects him to fulfill his responsibility as Speaker in seeing the vacuum filled. (Berri sent us a message today, incidentally, saying that he would welcome talking to the Secretary. This is a belated response to our offer to set up

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a phone call several weeks ago. In fact, he claims to have placed a call to the Secretary earlier, which was allegedly not returned.)

-- High-level phone call to Patriarch Sfeir: This call would be designed to reassure Sfeir that we are supporting efforts to elect a president, and it would also help restore some luster to the badly tarnished Patriarchate. It would also undermine Michel Aoun's arguments that Aoun, not the Patriarch, is the political point of reference for Lebanon's Christians.

-- U.S. public statement lamenting the continued vacuum and -- possibly -- hinting at sanctions in the case of further delays.

¶11. (S) On the latter point -- a U.S. public statement -- we see value in using the visa ban and August E.O. that were designed to deter acts that undermined Lebanon's stability and constitutional organs. We believe that these tools have had a beneficial impact in reducing financial support to Michel Aoun and that they contributed to Emile Lahoud's decision to leave office on time without taking extra-constitutional measures. Now, we suggest using these tools in order to move toward presidential elections as quickly as possible. We have drafted a statement that we could use in one of two ways. We could either issue this as a Department press release now, or -- our preference for the moment -- we be given authority by Washington to share privately (as something under consideration) with people close to Berri and Aoun, in hopes of enlisting them to pressure their bosses into going through with presidential elections.

¶12. (S) Our draft statement follows:

-- In August, the President authorized two new tools -- a visa ban and financial sanctions -- in response to threats

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against Lebanon's democracy, stability, and constitutional order. Unfortunately, it is clear that, once again, Lebanon's constitutional institutions are at risk. Lebanon faces the danger of an extension of the presidential vacuum created when Members of Parliament allied with Syria refused to attend the electoral sessions scheduled before the expiration of President Emile Lahoud's term.

-- The March 14 majority, in withdrawing its own presidential candidates and moderating its concerns about constitutional amendments, has offered a compromise solution to fill Lebanon's presidential vacuum. Politicians from across Lebanon's political spectrum have stated that Lebanese Armed Forces Commander Michel Sleiman is broadly acceptable for the presidency. With Speaker Berri having called for an

electoral session on Friday and with March 14 having proposed a solution, the United States hopes that all MPs will respond positively in order to give Lebanon a chance to fill the presidential vacuum now. The United States will consider that those who once again thwart the elections by their absence or by attaching conditions to the elections are intentionally trying to undermine Lebanon's democracy and constitutional institutions.

MOVING TOWARD PLAN C

¶13. (S) There is a chance that, with the vacuum serving their interests in wanting to undermine March 14's credibility and ability to govern, the March 8-Aoun forces will remain impervious to the pressure being applied to elect Suleiman now. We could easily envision a scenario, for example, by which the holidays intervene to provide a convenient excuse for further delays. At some point in the near future, we should engage with March 14 contacts and with our allies about looking again at other options, whether absolute majority election or "half-plus-plus" candidates. In our view, we should be seen as aggressive in trying to get the presidential vacuum filled. But, given the failure of the French initiative before Emile Lahoud's departure from office and given the lack of support for the "half-plus-one approach, there remains no easy way of persuading March 8-Aoun MPs to show up to vote.

FELTMAN